

Commissioner for Patents  
Washington, D.C. 20231

Date : 11/14/02  
Mo. Day Yr.

Atty. Docket 213838-3

Sir:

Application No. 09/196,673

Kindly acknowledge receipt of the accompanying:

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☐ Check for \$ \_\_\_\_\_ (claims fee)  
☐ Petition under 37 C.F.R. § 1.136 and Check for \$ \_\_\_\_\_  
☐ Notice of Appeal and Check for \$ \_\_\_\_\_  
☐ Information Disclosure Statement, PTO-1449 and \_\_\_\_\_ documents  
☐ Claim for priority and certified copies of \_\_\_\_\_ priority applications  
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Atty. David Clough

Due Date        /        /         
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**Katten Muchin Zavis Rosenman**  
Patent Administrator  
525 West Monroe Street  
Suite 1600  
Chicago, Illinois 60661-3693

**EXPEDITED EXAMINING PROCEDURE  
RESPONSE UNDER 37 C.F.R. § 1.116  
EXAMINING GROUP 1627**

**PATENT**  
Previous Docket No. 28111/32106B  
Attorney Docket No. 213839-00003

*Official  
PP 2/7/03*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: McCafferty, *et al.*

Serial No.: 09/196,673

Filed: November 20, 1998

Title: Methods for Producing  
Members of Specific Binding  
Pairs

Group Art Unit: 1627

Examiner: P. Ponnaluri

Certificate of Mailing  
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Confirmation Copy & References  
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I hereby certify that this paper is being faxed to the  
Attention of Examiner Ponnaluri, Group 1600,  
703/308-7922 at the U.S. Patent & Trademark Office;  
The confirmation copy and references will be hand  
delivered by Allen Rose on November 14, 2002. Box  
AF, Assistant Commissioner for Patents, Washington,  
D.C. 20231, on this date:

11/13/02  
Date

*David W. Clough*  
David W. Clough, Ph.D.  
Registration No. 36,107

*#27  
Group  
3-703*

**RESPONSE TO ADVISORY ACTION**

Box AF  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is in response to the Advisory Action issued by the Examiner mailed November 6, 2002. The Examiner's comment in Item No. 10 – "Applicants attorney has informed that a petition and amendments have been filed in the case. The papers have not been matched with the case."

We are attaching herewith a copy of the following documents which were hand delivered to the Tech Center Group 1600 on September 11, 2002:

1. Returned postcard date stamped August 19, 2002 by the U.S. Patent & Trademark Office;
2. Amendment Transmittal dated August 14, 2002;
3. Amendment and Response dated August 14, 2002;

U S Appln. No. 09/196,673  
Filed: November 20, 1998

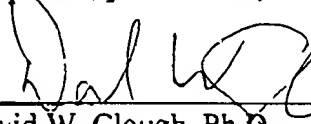
Docket No 213839-00003

4. Postcard stamped received by the Tech Group 1600/2900 on September 11, 2002 at 3:09 p.m.
5. Petition to Expunge Pursuant to 37 C.F.R. § 1.59 Documents Submitted in Information Disclosure Statement Under 37 C.F.R. §§ 1.97-1.99 Simultaneously Submitted (with copy of check in the amount of \$130);
6. Supplemental Information Disclosure Statement Pursuant to 37 C.F.R. §§ 1.97-1.99 Filed With Petition to Expunge Pursuant to 37 C.F.R. § 1.59; and
7. References.

Attorney for applicants believe that the application is in condition for allowance. Favorable consideration of the application is respectfully requested. The Examiner is invited to contact the undersigned with any questions, comments or suggestions relating to the referenced patent application.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 50-1214. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1214.

Respectfully submitted,

  
\_\_\_\_\_  
David W. Clough, Ph.D.  
Registration No. 36,107  
Attorney for Applicant

November 13, 2002  
Katten Muchin Zavis Rosenman  
525 West Monroe Street, Suite 1600  
Chicago, Illinois 60661-3696  
(312) 902-5464  
(312) 557-8736

Applicant(s): McCafferty et al Ser/Pat No.: 09/196,673 Filing/Issue Date: 11-20-98  
 Docket No.: 213839-00003 Attorney: DWC/TCS Due Date: 8-14-02  
 Title: Methods for Producing Members of Specific Binding Pairs  
 Date Sent: 8-14-02 ☒ 1<sup>st</sup>-Class Mail ☐ U.S. P.O. Express Mail (No. \_\_\_\_\_) ☐ Hand Carried

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|--|--|
| <input type="checkbox"/> Utility / Design Patent Application Transmittal (____ pp)                 | <input type="checkbox"/> Request for Deferral of Examination (____ pp)   |
| <input type="checkbox"/> Provisional Application for Patent Cover Sheet (____ pp)                  | <input type="checkbox"/> Response to Missing Parts / Incomplete Application (____ pp)                          |
| <input type="checkbox"/> RCE / CPA Transmittal (____ pp)   | <input type="checkbox"/> Non-Publication Request   |
| <input type="checkbox"/> Specification (including claims & abstract) (____ pp)                     | <input type="checkbox"/> Affidavit(s)/Declaration(s) (____ pp)   |
| <input type="checkbox"/> Drawings _____ Formal _____ Informal (____ pp)                            | <input type="checkbox"/> Letter Transmitting Corrected Drawings/ Letter to the Official Draftsperson (____ pp) |
| <input type="checkbox"/> Combined Oath / Declaration & Power of Attorney (____ pp)                 | <input type="checkbox"/> Request for Approval of Dwg. Amd's. (____ pp)   |
| <input type="checkbox"/> Assignment or _____ with Recordation Form Cover Sheet - Patents (____ pp) | <input type="checkbox"/> Notice of Appeal (____ pp)  |
| <input type="checkbox"/> Fee Transmittal, in duplicate (____ pp, total)                            | <input type="checkbox"/> Appeal Brief, in triplicate (____ pp, total)  |
| <input type="checkbox"/> Claim for priority and certified copies of _____ priority applications    | <input type="checkbox"/> Revocation/Power of Attorney (____ pp)  |
| <input checked="" type="checkbox"/> Transmittal Form (____ pp) <u>d-p</u>                          | <input type="checkbox"/> Certificate Under 37 CFR 3.73(b) (____ pp)  |
| <input checked="" type="checkbox"/> Response to Official Action / Amendment (____ pp)              | <input type="checkbox"/> Associate Power of Attorney (____ pp)   |
| (circle one - A / B / C / Preliminary / After Final) <u>TYPE</u>                                   | <input type="checkbox"/> Status Inquiry (____ pp)  |
| <input type="checkbox"/> Petition for _____-Month Extension of Time (____ pp)                      | <input type="checkbox"/> Petition _____ (____ pp)  |
| <input type="checkbox"/> Information Disclosure Statement (____ pp)                                | <input type="checkbox"/> Terminal Disclaimer (____ pp)   |
| <input type="checkbox"/> Form PTO/SB/08A (____ pp)   | <input type="checkbox"/> Request for Certificate of Correction (____ pp)                                       |
| <input type="checkbox"/> Cited References (____ references)  | <input type="checkbox"/> Form PTO-1050 (2 copies, ____ pp, total)  |
| <input type="checkbox"/> Issue Fee Transmittal (____ pp)   | <input type="checkbox"/> Maintenance Fee Transmittal (____ pp)   |
| <input type="checkbox"/> Check / Authorization to charge Deposit Account (\$ _____)                | <input type="checkbox"/> "Fee Address" Indication Form (____ pp)   |
| <input type="checkbox"/> Other _____   |  |

**EXPEDITED PROCEDURE  
RESPONSE UNDER 37 C.F.R. § 1.116  
EXAMINING GROUP 1627**

**PATENT APPLICATION**  
Attorney Docket No. 213839-00003  
Date: August 13, 2002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s):	McCafferty, <i>et al.</i>	)	<u>Certificate of Service</u>
Application No.:	09/196,673	)	I hereby certify that this paper is being
Filed:	November 20, 1998	)	deposited with the United States Postal
For:	Methods for Producing Members of	)	Service with sufficient postage, as first class
	of Specific Binding Pairs	)	mail, in an envelope addressed to "Assistant
		)	Commissioner for Patents, Washington, D.C.
		)	20231" on
Group Art Unit:	1627	)	<u>8/14/02</u>
Examiner:	P. Ponnaluri	)	Date
		)	David W. Clough, Ph.D.
		)	Registration No. <u>36,107</u>
		)	Attorney for Applicant(s)

**AMENDMENT TRANSMITTAL**

Box AF  
Commissioner of Patents and Trademarks  
ATTENTION: Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment/reply in the above-identified application.

1. ( ) A paper requesting correction/substitution of drawings is attached.

2. Fee for Claims

(X) No additional fee is required.

The fee for additional claims in accordance with 37 C.F.R. §1.16(b)-(d) has been calculated as shown below:

				SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment	Highest No. Previously Paid for		Present Extra	Rate	Additional Fee	
Total	54	Minus	114	-	x 9	-	x 18
Indep.	6	Minus	6	-	x 42	-	x 84
Fee for Multiple Dependent Claims					+140	-	+280
TOTAL ADDITIONAL FEES					-	OR	-

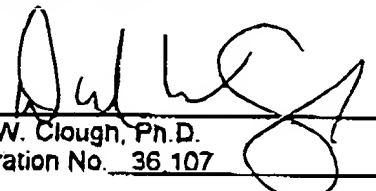
**AMENDMENT TRANSMITTAL**  
Attorney Docket No. 213839-000035. **Method of Payment of Fees**

- ( ) Enclosed is our firm checks in the amount of:
- ( ) Charge \$ \_\_\_\_\_ to Deposit Account No. 50-1214.

4. (x) The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1 16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 50-1214. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1214. This sheet is filed in duplicate.

Respectfully Submitted,

August 14, 2002  
(Date)

By:   
David W. Clough, Ph.D.  
Registration No. 36107

**KATTEN MUCHIN ZAVIS ROSENMAN**  
525 West Monroe Street, Suite 1600  
Chicago, Illinois 60661-3693  
(Direct) Phone No. (312) 902-5464  
(Direct) Fax No. (312) 577-8736

Applicant(s): McCafferty et al Ser/Pat No: 09/94,673 Filing/Issue Date: 11-20-98  
 Stocker No: 218839-0003 Attorney: DMC/TEJ/TCS Due Date: --  
 Re: Methods for Producing Members of Specific Binding Pairs  
 Date Sent: 9-10-02 ☐ 1<sup>st</sup>-Class Mail ☐ U.S. P.O. Express Mail (No. \_\_\_\_\_) ☒ Hand Carried

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Utility / Design Patent Transmittal ( ) pp)  
Provisional Application for Patent Cover Sheet ( ) pp)  
RCE / CPA Transmittal ( ) pp)  
Specification (including claims & abstract) ( ) pp)  
Drawings Formal ( ) Informal ( ) pp)  
Combined Oath / Declaration & Power of Attorney ( ) pp)  
Assignment or \_\_\_\_\_  
with Recordation Form Cover Sheet - Patents ( ) pp)  
Fee Transmittal, in duplicate ( ) pp. total)  
Claim for priority and certified copies of \_\_\_\_\_  
\_\_\_\_\_ priority applications  
Transmittal Form ( ) pp)  
Response to Official Action / Amendment ( ) pp)  
(circle one - A / B / C / Preliminary / After Final / 312 )  
Petition for \_\_\_\_\_ Month Extension of Time ( ) pp)  
Information Disclosure Statement (14 pp) Supplemental  
Form PTO/SB/08A (3 pp)  
Cited References (2 references)  
Issue Fee Transmittal ( ) pp)  
Check / Authorization to charge Deposit Account (\$ 130 )  
Other Petition & Expense  
Request for Deferral of Examination ( ) pp)  
Response to Missing Parts /  
Incomplete Application ( ) pp)  
Non-Publication Request  
Affidavit(s)/Declaration(s) ( ) pp)  
Letter Transmittal Corrected Drawings/  
Letter to the Official Draftsperson ( ) pp)  
Request for Approval of Dwg. Amd's. ( ) pp)  
Notice of Appeal ( ) pp)  
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Petition \_\_\_\_\_ ( ) pp)  
Terminal Disclaimer ( ) pp)  
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Maintenance Fee Transmittal ( ) pp)  
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**KATTEN MUCHIN ZAVIS ROSENMAN**

525 West Monroe Street, Suite 1600  
Chicago, IL 60661-3693

Feb-06-03 02:37pm From-

T-763 P.35/35 F-698

**MATERIAL SUBJECT TO PROTECTIVE ORDER**

**NOT OPEN TO PUBLIC. TO BE OPENED BY EXAMINER  
EXAMINER OR OTHER AUTHORIZED U.S. PATENT AND  
TRADEMARK OFFICE EMPLOYEE:**

**Tribunal Issuing Protective Order:** U.S. District Court for the District of  
Columbia, Judge James Robertson

1:00 CV 00146

March 13, 2002

Pending

McCafferty, *et al.*

09/196,673

November 20, 1998

**METHODS FOR PRODUCING MEMBERS  
OF SPECIFIC BINDING PAIRS**

1627

P. Ponnaluri

BOX AF

**Civil Action No.:**

**Date of Order:**

**Status of Proceedings:**

**In Re Application of:**

**Application No.**

**Filed:**

**For:**

**TC Art Unit:**

**Examiner:**

**ATTENTION:**



**KMZ Rosenman**  
KATTEN MUCHIN ZAVIS ROSENMAN525 West Monroe Street, Suite 1600  
Chicago, IL 60661-3693  
312.902.5200 office 312.902.1061 fax**Facsimile**

To	Company	Fax Number	Phone Number
Examiner Ponnaluri	U.S. Patent & Trademark Office	Office 703/308-7922 After Final 703/872-9307 703/872-9306	703/305-3884

Date	Client/Matter Number
February 6, 2003	213839-00003
From	Attorney Number
David W. Clough, Ph.D.	33626
Phone	Fax
312.902.5464	312.577.8736

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## Comments

U.S. Application No. 09/196,673

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**KATTEN MUCHIN ZAVIS ROSENMAN**525 West Monroe Street, Suite 1600  
Chicago, IL 60661-3693  
312.902.5200 office 312.902.1061 fax**Facsimile**

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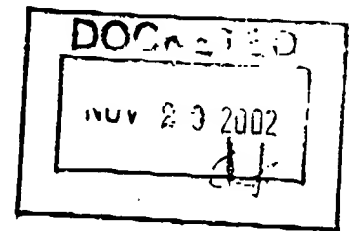
Date	Client/Matter Number
November 13, 2002	213839-00003
From	Attorney Number
David W. Clough, Ph.D.	33626
Phone	Fax
312.902.5464	312.577.8736

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## Comments

U.S. Application No. 09/196,673

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